

POLICE OFFICERS ASSOCIATION OF CT

Representing 1,200 police officers in 22 municipal police unions across Connecticut

Public Safety Committee
Public Hearing: Feb. 16, 2017

PLEASE **SUPPORT SB 763** --AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE FOR POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS WITH POST-TRAUMATIC STRESS DISORDER.

Our Police Officers strongly support SB 763.

We believe that the primary benefits of this proposed legislation should be as follows:

1. a police officer can inform his/her superiors that the officer is struggling with PTSD symptoms following a tragic, traumatic event, and the officer cannot be terminated from employment;
2. a police officer can take some time off from work to seek treatment; and that police officer should not lose pay for seeking help;
3. The bills for the police officer's treatment with a qualified licensed healthcare provider should be covered;
4. At the appropriate time, the police officer can obtain light duty work, until such time that the officer is cleared and ready to return to full duty; and
5. If necessary, the police officer should be able to apply for and obtain long term disability coverage, again, without losing pay and without losing his/her employment.

PTSD is a real problem everywhere, and there is a good solution as we have outlined above.

Orlando, FL TV Station WOFL 35 reports on 1/20/17 that the Florida legislature will also be considering a similar PTSD bill to address the follow-up problems for police officers and first responders on the heels of the recent *Pulse Nightclub* shooting massacre.

We are very appreciative that the Public Safety Committee is considering this important proposal. Please support SB 763.

Contacts: Attorney Patti Shea
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General Assembly
January Session, 2017

Raised Bill No. 763

LCO No. 3342



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:

(PS)

AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE FOR POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS WITH POST-TRAUMATIC STRESS DISORDER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (16) of section 31-275 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2018, and applicable to the visual witnessing of a death, or the immediate aftermath of a death, occurring on or after said date*):

(16) (A) "Personal injury" or "injury" includes, in addition to accidental injury that may be definitely located as to the time when and the place where the accident occurred, an injury to an employee that is causally connected with the employee's employment and is the direct result of repetitive trauma or repetitive acts incident to such employment, and occupational disease.

(B) "Personal injury" or "injury" shall not be construed to include:

(i) An injury to an employee that results from the employee's voluntary participation in any activity the major purpose of which is social or recreational, including, but not limited to, athletic events, parties and picnics, whether or not the employer pays some or all of the cost of such activity;

(ii) A mental or emotional impairment, unless such impairment (I) arises from a physical injury or occupational disease, (II) in the case of a police officer, arises from such police officer's use of deadly force or subjection to deadly force in the line of duty,

regardless of whether such police officer is physically injured, provided such police officer is the subject of an attempt by another person to cause such police officer serious physical injury or death through the use of deadly force, and such police officer reasonably believes such police officer to be the subject of such an attempt, [or] (III) in the case of a firefighter, is diagnosed as post-traumatic stress disorder by a [licensed and board certified mental health professional] psychiatrist licensed pursuant to chapter 370 or a psychologist licensed pursuant to chapter 383, determined by such [professional] psychiatrist or psychologist to be originating from the firefighter witnessing the death of another firefighter while engaged in the line of duty and not subject to any other exclusion in this section, or (IV) in the case of a police officer, firefighter or emergency medical technician, is diagnosed as post-traumatic stress disorder by a psychiatrist licensed pursuant to chapter 370 or a psychologist licensed pursuant to chapter 383, determined by such psychiatrist or psychologist to be originating from the police officer, firefighter or emergency medical technician visually witnessing the death of a human being, or the immediate aftermath of such death, provided the visual witnessing of such death or the aftermath of such death occurred while the police officer, firefighter or emergency medical services provider was engaged in the line of duty. As used in this clause, "police officer" means a member of the Division of State Police within the Department of Emergency Services and Public Protection, an organized local police department or a municipal constabulary, "firefighter" means a uniformed member of a municipal paid or volunteer fire department, [and] "in the line of duty" means any action that a police officer, [or] firefighter or emergency medical technician is obligated or authorized by law, rule, regulation or written condition of employment service to perform, or for which the police officer, [or] firefighter or emergency medical technician is compensated by the public entity such officer serves, "emergency medical technician" means a person who is certified pursuant to chapter 384d and employed by a municipality, and "immediate aftermath" means the scene at which such death occurred for a period of time not to exceed six hours after such scene is secured by law enforcement officers;

(iii) A mental or emotional impairment that results from a personnel action, including, but not limited to, a transfer, promotion, demotion or termination; or

(iv) Notwithstanding the provisions of subparagraph (B)(i) of this subdivision, "personal injury" or "injury" includes injuries to employees of local or regional boards of education resulting from participation in a school-sponsored activity but does not include any injury incurred while going to or from such activity. As used in this clause, "school-sponsored activity" means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property and "participation" means acting as a chaperone, advisor, supervisor or instructor at the request of an administrator with supervisory authority over the employee.

Sec. 2. Section 31-294h of the general statutes is repealed. (*Effective from passage*)

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>January 1, 2018, and applicable to the visual witnessing of a death, or the immediate aftermath of a death, occurring on or after said date</i> | 31-275(16) |
| Sec. 2 | <i>from passage</i> | Repealer section |

Statement of Purpose:

To provide workers' compensation coverage to police officers, firefighters and emergency medical technicians suffering from post-traumatic stress disorder as a direct result of witnessing the death of a human being or the immediate aftermath of such death.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]